



THE CITY OF NEW YORK
LAW DEPARTMENT

MICHAEL A. CARDODOZ
Corporation Counsel

100 CHURCH STREET
NEW YORK, NY 10007

ASHLEY HALE
Labor & Employment Law Division
phone: (212) 788-1328
fax: (212) 788-8877
email: ahale@law.nyc.gov

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BY ECF

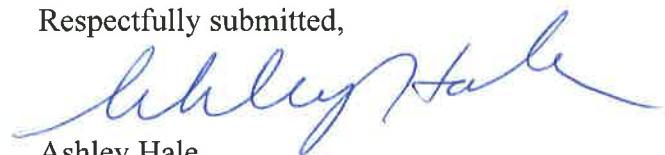
Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Claude Massiah and Natalie Mieles, individually and on behalf all others similarly situated v. MetroPlus Health Plan, Inc. and New York City Health and Hospitals Corporation
Docket No. 11 Civ. 5669 (BMC)

Dear Judge Cogan:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants New York City Health and Hospitals Corporation (“HHC”) and MetroPlus Health Plan, Inc. (“MetroPlus”) (collectively, “defendants”) in the above-referenced action. Defendants write to advise that after careful consideration, defendants will not at this time be making a motion for reconsideration of this Court’s April 9, 2012 decision, nor will defendants be moving pursuant to FRCP 54(b) for entry of partial final judgment or in the alternative, pursuant to 28 U.S.C. §1292(b) to certify the April 9, 2012 order for appeal to the U.S. Court of Appeals for the Second Circuit.

Respectfully submitted,


Ashley Hale
Assistant Corporation Counsel

cc: Justin M. Swartz, Molly Brooks, Melissa Pierre-Louis (by ECF)
Outten & Golden LLP
Attorneys for Plaintiffs and the Putative Class
3 Park Avenue, 29th Floor
New York, New York 10016